

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LAURA LEIGH,)	CASE NO. 3:10-CV-597-LRH-VPC
)	
Plaintiff(s),)	MINUTES OF COURT
)	
vs.)	DATE: Wednesday, February 20, 2013
)	
KENNETH LEE SALAZAR, et al.,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete

Reporter: Donna Davidson

Counsel for Plaintiff(s): Gordon Cowan

Counsel for Defendant(s): Erik Petersen, DOJ; Nancy Zahedi, DOI; Gregory Addington, DOJ

MINUTES OF PROCEEDINGS: Preliminary Injunction Hearing (Day 2):

9:07 a.m. Court convenes. Counsel and plaintiff Laura Leigh are present.

Alan Shepherd, Sparks, NV, Nevada State Wild Horse and Burro Program Lead, is called on behalf of the defendants; is sworn and testifies on direct examination by Mr. Petersen. Defendants' Exhibits 500, 501, 502, and 503, are offered; no objection; defendants' Exhibits 500, 501, 502, and 503, are admitted. Cross examination by Mr. Cowan.

10:38 a.m. Court stands at recess.

10:54 a.m. Court reconvenes. Counsel and plaintiff Laura Leigh are present.

Alan Shepherd, resumes the witness stand and continues testimony on cross examination by Mr. Cowan. Re-direct examination by Mr. Petersen. Re-cross examination by Mr. Cowan. Witness is excused.

Ben Noyes, Ely, NV, BLM Wild Horse and Burro Specialist, called on behalf of the defendants; is sworn and testifies on direct examination by Mr. Petersen. Defendants Exhibit 504 is marked. Cross examination by Mr. Cowan. Witness is excused.

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Patricia Bute, Ely, NV, BLM Public Information Officer, is called on behalf of the defendants; is sworn and testifies on direct examination by Mr. Petersen. Cross examination by Mr. Cowan. Witness is excused.

Lili Thomas, Washoe Valley, NV, BLM National Wild Horse and Burro Specialist, is called on behalf of the defendants; is sworn and testifies on direct examination by Mr. Petersen. Cross examination by Mr. Cowan. Witness is excused.

12:02 p.m. Court stands at recess.

2:07 p.m. Court reconvenes. Counsel and plaintiff Laura Leigh are present.

Mr. Petersen requests to admit previously marked defendants Exhibit 504; no objection; defendants Exhibit 504 is admitted. Mr. Cowan renews his request for the admission of plaintiffs Exhibit 5, the Court previously reserved ruling on 2/19/13. Mr. Petersen renews his objection; objection is overruled, and plaintiffs Exhibit 5 is admitted.

Heather Emmons, Sparks, NV, BLM Public Affairs Officer, is called on behalf of the defendants; is sworn and testifies on direct examination by Mr. Petersen. Cross examination by Mr. Cowan. The Court questions the witness. Witness excused.

Laura Leigh, is recalled to the witness stand as a rebuttal witness. The Court reminds the witness she is still under oath. Direct examination by Mr. Cowan. Cross examination is waived. Witness is excused.

3:09 p.m. Court stands at recess.

3:15 p.m. Court reconvenes. Counsel and plaintiff Laura Leigh are present.

Elyse Gardner, is recalled to the witness stand as a rebuttal witness. The Court reminds the witness she is still under oath. Direct examination by Mr. Cowan. Cross examination is waived. Witness is excused.

Terri Farley, is recalled to the witness stand as a rebuttal witness. The Court reminds the witness she is still under oath. Direct examination by Mr. Cowan. Cross examination is waived. Witness is excused.

Alan Shepherd, is recalled to the witness stand as a rebuttal witness. The Court reminds the witness he is still under oath. Direct examination by Mr. Petersen. Cross examination by Mr. Cowan. The Court questions the witness. Witness is excused.

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The parties have no further evidence. The Court addresses the parties and will permit brief oral argument if either party wishes. Further oral argument is waived by counsel. The Court further invites counsel, if it is new information, to file supplemental points and authorities. Thereafter, the defendants would have ten (10) days to reply from the date of plaintiff's filing of supplemental briefing. The Court further compliments counsel, and the parties for their professionalism and courtesy. IT IS ORDERED the matter stands submitted. The Court will issue a written order.

3:30 p.m. Court stands at recess.

LANCE S. WILSON, CLERK

By: D. Negrete
Deputy Clerk